

REMARKS/ARGUMENT

The Applicants respond to the restriction requirement under 35 U.S.C. § 121 of the Office Action of April 27, 2009.

Claims 1 through 38 are pending in the application.

The Examiner applied a restriction requirement under 35 U.S.C. § 121 and divided the claims into two groups.

The Applicants elect with traverse the claims of Group I, claims 1 through 14, drawn to a beverage dispenser. Election of the invention Group I satisfies the requirements of the Office Action which state that a complete reply to the restriction requirement "must include (i) an election of a species or invention." If any further election is required, Applicants request the Examiner telephone Mr. Paul Grandinetti.

The Applicants have a bona fide belief that the election requirement should be withdrawn. The beverage dispenser of claims 1 through 14 is rendered more desirable by the additional structures of subsequent claims. However, it is maintained that a search of the invention of Group I would necessarily include the desirable embodiments of subsequent claims.

Reconsideration is requested.

Respectfully submitted,



Paul Grandinetti
Registration No. 30,754

21 MAY 09

Date

LEVY & GRANDINETTI
P.O. Box 18385
Washington, D.C. 20036-8385

(202) 429-4560